



# Registration of Construction

## Professional



## Titles



**Kevin Sheridan**

PP ECBP, VP AEEBC, FCIQB, FASI, FRICS, FSCS, FBEng, FInstCES,  
P Eng, FSPE, MIBCI.

# Background

- Represented several Surveying (BS & QS)  
On Forum Sub-committee
- Scope Predetermined by CIC
- Responded to criteria (did not initiate it)
- Changes

# Overview

- **Strategic Background**
- **Forum Recommendations**
- **Building Control Bill**
- **Extracts from Current Criteria**
- **Administration details**



## **Background**

### **Forum for the Construction Industry**

- **In March 1996** the Minister for the Environment and Local Government agreed to a request from the Construction Industry Council (CIC) to formulate, in partnership with the CIC, a development **strategy for the construction industry** up to the turn of the century and beyond.  
recommendations with the following broad objectives:

# Strategic Review of the Construction Industry

## Recommendation

- **Should Establish proposals for a fair, open and transparent set of procedures based on Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 administered by Engineers Ireland.**
- **Registration of title not function**



## Forum for the Construction Industry

- **1. - to improve efficiency and productivity**
- **2. - to promote the competitiveness of the Irish industry**
- **3. - to secure, as far as practicable, reasonable stability in construction demand;**
- **4. - to ensure fair, transparent and efficient procedures, including competitive construction tendering, in accordance with EU regulations;**

## Forum for the Construction Industry

- **5. - to reduce conflict between the parties to the construction process and reduce the cost of dispute resolution;**
- **6. - to secure a regulatory environment which will promote quality and safety in building design and construction by the most cost effective means.**



## **Background Forum for the Construction Industry**

- **In October, 1997, Mr. Noel Dempsey, T.D., the then Minister for the Environment and Local Government, established the *Forum for the Construction Industry (FCI)* to advise on and oversee the detailed Implementation of the recommendations.**
- **The FCI is broadly representative of private and public clients, the building professions, contractors, the trades unions and the construction products manufacturers.**



Forum for the Construction Industry  
**Forum for the Construction Industry**

- **To formulate the strategy the Minister established the Strategic Review Committee (SRC) whose report "*Building our Future Together*" was approved by Government and published in June 1997.**
- **The report contained 86 key recommendations**

# Forum for the Construction Industry

- In October 1997, the Minister established the *Forum for the Construction Industry (FCI)*, with the responsibility for overseeing and advising on the detailed **implementation of the SRC's recommendations.**

# Forum for the Construction Industry

- ***Included in recommendations at the time***
- **Task Force D1**
  - 3.40 and 3.41 Registration of Contractors**
  - 3.36 Construction Skills**
    - CSCS Certification Scheme made mandatory under S.I. No. 481 of 2001**



# Forum for the Construction Industry

## Sub Committee D

### Task Force D2(Chairman David Keane)

- **3.28 Government's Legislative statutory protection of titles of designated Building Professional titles**
- **Architect, Building Surveyor and Quantity Surveyor"**



# Forum for the Construction Industry

- **Chartered Engineer already registered under the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 administered by Engineers Ireland.**



# Building Control Bill

- **The Strategic Review/Forum Recommendations were included in the 2005 Building Control Bill**



# Background



- **Strategic review of the Construction Industry**
- **Originally Architects, Engineers, Surveyors (QS)**
- **Registration of title not function**
- **C.I.C.**
- **Forum Implementation sub-committees**
- **Final Agreement 2001 (include Building Surveyors)**

AN ROINN COMHSH

6613424

Ireland building our future together



Strategic Review of the Construction Industry

# Registration of Titles of; Architects Quantity Surveyors Building Surveyors



CONSTRUCTION INDUSTRY COUNCIL



# Key outcomes

- **Regulation of titles**
- **Consumer protection**
- **Register of titles**





# Original Titles



- **Engineers included originally**
- **IEI (EI) Engineers withdrew after short duration of participation**
- **Difficulties expressed in registering title due legal advice**
- **Recently proposed a change to the definition**



## **EI Proposed amendment**

- **Registered professional means, as the context requires, an architect, building surveyor or quantity surveyor registered under this Act, or a Chartered Engineer as registered under the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969**



# Registration of Surveyors Scope

- **RIAI & SCS Registration bodies.**
- **Registration body and Admissions Board**
- **Registration of Quantity & Building Surveyors.**



# Qualification to current criteria

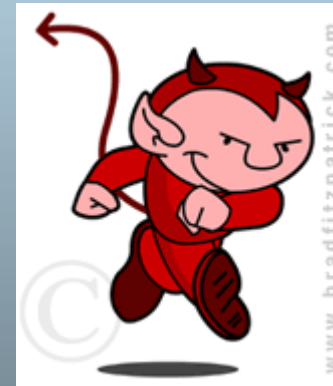
**Bill Published 2005**

**Now past the 2<sup>nd</sup> Reading  
Stage**

**Devil is in the Detail**

**Fluid Situation**

**Changes are likely at  
Committee stage**





# Architects



- **RIAI Architects sole Architect Professional Institution**
- **ASI GIAI etc members represented architects in negotiations**
- **No reference to other professional institutions in Bill**
- **RIAI will be architect registration body**

# Registration of Building Surveyors

- (1) The Society of Chartered Surveyors shall be the registration body for the purposes of this Part.
- (2) For the purposes of the Directive, the registration body is the **competent authority** in the State as respects building surveyors.



# Registration of Quantity Surveyors

**Prohibition against using term  
“quantity surveyor” unless  
registered.**

- . Technical Assessment Board**
- . Professional Conduct Committee**



# **QS Criteria: A graduate of:**

- **(i) the Dublin Institute of Technology,**
- **(ii) the Limerick Institute of Technology,**
- **or**
- **(iii) such other educational body as may be prescribed, who has received from it—**

# Registration of Quantity Surveyors



- **(I) the diploma called the Construction Economic Diploma**
- **(II) Degree B.Sc. in Quantity Surveying, or**
- **(III) such other degree, diploma or qualification as may be prescribed, and who, in each case, has at least **7 years appropriate experience of performing duties commensurate with those of a quantity surveyor;****
- **Fellow or associate of the Society of Chartered Surveyors, Quantity Surveying Division; CIOB, ASI, ABE , ICES**

# Registration of Architects

- (I) Architect Graduate of NUI, (II) DIT with 7 years appropriate post graduate experience
- (III) such other degree, diploma or qualification as may be prescribed, and who, in each case, with 7 years appropriate post graduate experience
- Has passed prescribed professional practice examination or has at least **7 years appropriate experience** of performing **duties commensurate with those of an architect;**
- **Fellow or member of RIAI**

# Registration of quantity surveyors.

- a person who **on or after 1 January 2001** attained a **degree in Quantity Surveying (B.Sc.)** and is enrolled as a fellow or member of the **Chartered Institute of Building, Architecture and Surveying Institute**, the **Association of Building Engineers** or the **Institution of Civil Engineering Surveyors**;



# Registration of Quantity Surveyors

- a person holding a higher education diploma awarded on completion of professional education and training of at least 3 years duration, in—
  - (i) Quantity surveying, or
  - (ii) an equivalent profession recognised under the Directive;
- (*i*) a person eligible for such registration by virtue of *section 27* (which relates to holders of qualifications from other states);
- (*j*) a person who has been assessed as eligible for registration by the Technical Assessment Board established under



# Registration body

- The **Registration body** shall establish a **Technical Assessment Board** to consider applications for registration in the register from persons who do not fall within any of *paragraphs (a) to (i) of section 26(2)*.
- (2) The **Technical Assessment Board** shall consist of a **chairperson and 7 ordinary members**, the latter appointed by the registration body as follows:

# Registration body

- **3 quantity surveyors nominated by the registration body;**
- **4 persons nominated by the Minister, being persons who are not quantity surveyors.**
- (3) The **Chairperson of the Technical Assessment Board shall be a solicitor, a barrister or a former judge of the Circuit Court, High Court or Supreme Court, appointed by the registration body, subject to the prior approval of the Minister.**



# Established Right to practice (Grandfather Rights)

- a person who has been performing duties commensurate with those of a quantity surveyor for a period of **10 or more years in the State** (but no period of such performance that occurs on or after the passing of this Act shall be reckoned for the purposes of this paragraph).



# Registration of Building Surveyors

- **The Admissions Board shall consist of a chairperson and 7 ordinary members, appointed by the registration body as follows:**

**3 building surveyors nominated for such appointment by the registration body;**

**4 persons nominated for such appointment by the Minister, being persons who are not building surveyors**



# Registration of Building Surveyors

- **(2)** Each of the following is eligible for registration in the register:
  - **a graduate** of— (i) the **Dundalk Institute of Technology,**  
or
  - (ii) such other educational body as may be prescribed, who has received from it the **Degree of B.Sc. in Building Surveying** or such other degree, diploma or qualification as may be prescribed and who, in each case, has at least **7 years appropriate experience of performing duties commensurate with those of a building surveyor;**



# Registration of Building Surveyors

- **person eligible for such registration by virtue of *section 41* (which relates to holders of qualifications from other states.**



# Offence Person who :

- makes or causes to be made, any false declaration or misrepresentation for the purpose of obtaining registration under this Part, **or aids or abets such action, or**
- practices or carries on business under any name, style or title containing the words “building surveyor”, unless he or she is registered under this Part, shall be guilty of an offence and shall be liable, on summary conviction, to a **fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both.**

## **Professional Conduct Committee**

- **The Committee shall consist of a chairperson and 7 ordinary members,**
- **3 building surveyors nominated for such appointment by the registration body;**
- **4 persons who are not Building Surveyors**
- **3 of whom are nominated by the Minister, and 1 with the consent of the Minister for Enterprise, Trade and Employment.**

# **Appeals Board shall consist of:**

- **2 building surveyors** nominated for by the registration body, neither of whom shall be a member of any other Board or Committee established under this Part;
- **3 persons who are not building surveyors**—
- **2 are nominated for such appointment by the Minister, and**
- **one with the consent of the Minister for Enterprise, Trade and Employment,**
- **None of whom shall be a member of any other Board or Committee established under this Part**



# Code of Professional Conduct

- ***Section 53*** enables the registration bodies to prepare a Code of Professional Conduct and standards to which registered professionals must adhere.
- The code may be reviewed from time to time, as considered necessary by the registration bodies.



# Term of Office

- **determines the term of office of members of boards or committees at 3 years,**
- **A member shall not serve for more than 2 consecutive terms of office.**

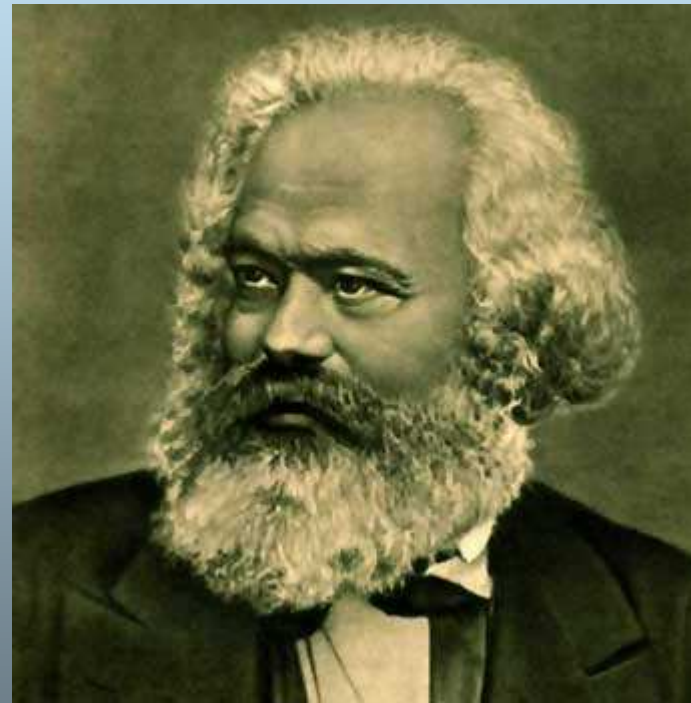


# Competition Authority Issues

- **'Unlike some other professions we (Competition Authority) have reviewed, architects are not restricted by layers of unjustified or disproportionate restrictions on competition,'**
- **Questions raised on "influence and control" awarded to the Royal Institute of Architects (RIAI) regulatory and representative functions should not be combined, on the grounds that there is too much potential for conflict of interest.**
- **Only two EU countries that have a separate Registration Body, the Netherlands and the UK.**

# Main Platforms **Conclude on Marx** **Quotations**

- **Bill is about**  
**Partnership**
- **Membership of**  
**Professional**  
**Organisations**



# Not Karl Marx but **Groucho Marx**

- “Partnership is about Openness & Trust
- And If you can fake both you have it made”



# Alternative Option

Not Karl Marx but **Groucho Marx**

- “I don’t want to belong to any club that would accept me as a member”

